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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application

Inventors: Yasuyo MARUWAKA et al.

Art Unit: 2631

Application No.: 09/820,636

Filed: March 30, 2001

For: RATE MATCHING CALCULATION METHOD AND RATE MATCHING APPARATUS

CERTIFICATION UNDER 37 CFR \$1.97(e)

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Assistant Commissioner of Patents  
Washington, DC 20231

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Technology Center 2600

Dear Sir:

In fulfillment of 37 CFR 1.97(c)(1) and 1.97(e)(1), it is hereby certified that each item of information contained in the attached Information Disclosure Statement was first cited in any communication (see the attached copy of an European Search Report dated November 17, 2003) from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

James E. Ledbetter  
Registration No. 28,732

Date: December 10, 2003

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INFORMATION DISCLOSURE STATEMENT

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Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. All of these references were cited in an European Search Report dated November 17, 2003 (copy attached). The "3<sup>rd</sup> GPP" document is of record filed July 2, 2001 and the "I. SOHN, et al." document is of record filed April 18, 2003.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,

Date: December 10, 2003

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